

## **REMARKS**

### **Status of the Claims**

Claims pending in the above-identified application are Claims 45-48 and new Claims 53-57. The amendment and the new claims do not insert new matter into the application. Support for the amendment and the new claims can be found at page 15, line 12, through page 17, line 2, and Figures 1-4, 6-9 and 15-18.

### **Objection to the Specification**

The Abstract of the Disclosure is objected to because a portion is directed to subject matter unclaimed in the above-identified patent application. In view of the amendment to the Abstract of the Disclosure, Applicants respectfully assert that the objection is obviated and request this objection be withdrawn.

The title of the invention is objected to for not being descriptive. This objection is traversed. In the Preliminary Amendment filed on November 5, 2001, Applicants amended the title to "Manhole Device". Applicants respectfully assert that the title is descriptive of the claimed invention. Accordingly, Applicants request that the objection to the title be withdrawn. However, if amendment for the title remains necessary, Applicants respectfully request the Examiner to call the undersigned to develop an Examiner's Amendment for the title.

### **The Rejection Under 35 USC § 112**

Claims 45-48 are rejected under 35 U.S.C. § 112, first paragraph, as containing subject matter not described in the specification. Specifically, the above-referenced Office Action states that "there is no description of how the structure of the at least one track raises the closure vertically above the flange as the closure pivots." Applicants refer the Examiner to page 15, line 12, through page 17, line 2, and Figures 1-4, 6-9 and 15-18. Further, in view of the amendment to Claim 1, Applicants respectfully assert that the rejection is obviated and request this rejection be withdrawn.

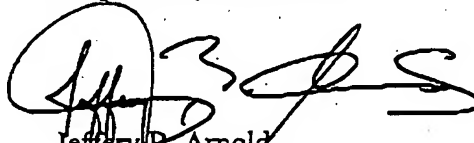
Claims 45-48 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. The Office Action asks how it is possible for the track to allow "raising the closure vertically above the flange as the closure pivots." Again,

Applicants refer the Examiner to page 15, line 12, through page 17, line 2, and Figures 1-4, 6-9 and 15-18. Further, in view of the amendment to Claim 1, Applicants respectfully assert that the rejection is obviated and request this rejection be withdrawn.

Conclusion

In view of the above amendments and remarks, Applicants respectfully assert that the rejection of the claims as set forth in the Office Action has been addressed and overcome. Applicants further respectfully assert that all claims are in condition for allowance and requests that an early notice of allowance be issued. If issues may be resolved through Examiner's Amendment, or clarified in any manner, a call to the undersigned attorney at (404) 745-2461 is respectfully requested.

Respectfully submitted,



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